

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE L. WENCESLAO,

Defendant.

Case No. 23-CR-56-JPS

ORDER

On March 21, 2023, a grand jury returned a five-count Indictment charging Defendant Jose L. Wenceslao (“Defendant”) with violations of 18 U.S.C. §§ 2(a), 922(g)(1), 924(a)(8), and 924(c)(1)(A)(i) and 21 U.S.C. §§ 841(a)(1) and 841 (b)(1)(B)–(D). ECF No. 1. On June 12, 2024, the parties filed a plea agreement, indicating that Defendant has agreed to plead guilty to Count Three of the Indictment. ECF No. 37.

The parties appeared before Magistrate Judge William E. Duffin on June 25, 2024, to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. ECF No. 38. Defendant entered a plea of guilty as to Count Three of the Indictment. *Id.* After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Judge Duffin determined that the guilty plea was knowing and voluntary, and that the offenses charged were supported by an independent factual basis containing each of the essential elements of the offenses. *Id.*; ECF No. 39.

On June 25, 2024, Magistrate Judge Duffin filed a Report and Recommendation with this Court, recommending that: (1) Defendant’s plea

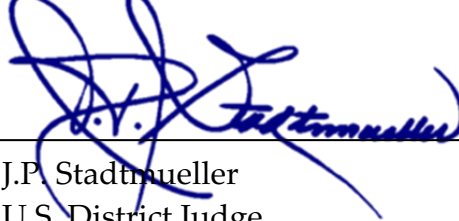
of guilty be accepted; (2) a presentence investigation report be prepared; and (3) Defendant be adjudicated guilty and have a sentence imposed accordingly. *Id.* Pursuant to General Local Rule 72(c), 28 U.S.C. § 636(b)(1)(B), and Federal Rule of Criminal Procedure 59(b), the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation. ECF No. 39. To date, no party has filed such an objection. The Court has considered Magistrate Judge Duffin's recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge William E. Duffin's Report and Recommendation, ECF No. 39, be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 16th day of July, 2024.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge